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# Journal of the American Institute of Criminal Law and Criminology

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## EDITORIAL COMMENT.

JOHN ADAMS AND GROVER CLEVELAND ON THE ADMINISTRATION OF JUSTICE.

Referring to an editorial on "Proposed Reforms in Federal Procedure" in the last number of the JOURNAL, in which the statement was made that Theodore Roosevelt was the first President of the United States to make the law's delay a subject of dis-

cussion in an annual message to Congress, a correspondent calls our attention to the fact that John Adams, in his annual message of November 22, 1800, referred to the delays and uncertainties in the administration of the law and urged Congress to give "serious consideration to the judiciary system of the United States." From every point of view, said the President, it is of primary importance that the laws should be promptly and faithfully executed, so as to render the administration of justice by the federal judiciary as convenient to the people as may consist with their present circumstances (Richardson, Messages and Papers of the Presidents, Vol. I, p. 306). Our correspondent informs us that Horace Binney, in a letter written at the time, referred to the fact that President Adams' remarks about the need of reform in federal procedure attracted wide interest and stirred up considerable discussion throughout the country.

Our correspondent also calls attention to the fact that President Cleveland, in his annual message of December 8, 1885, complained of certain hardships in the administration of justice by the federal courts, especially in the trial of offenses under the internal revenue laws. The district courts, said the President, were crowded with petty prosecutions for offenses punishable by slight fines, while the parties accused were often required to attend courts situated hundreds of miles from their homes. If poor and friendless, they were obliged to remain in jail for months and were finally brought to trial, surrounded by strangers and with but little opportunity for defense (Richardson, Messages and Papers of the Presidents, Vol. VIII, pp. 354-355).

The evils complained of by Presidents Adams and Cleveland, however, were primarily those of organization and jurisdiction and were easily cured. The far more serious evils, growing out of the abuse of the habeas corpus, the right of appeal and reversals for technicality, had not yet appeared, at least they had not become the subjects of widespread complaint. Roosevelt and Taft were the first Presidents to dwell at length upon these evils and to urge thorough-going measures of reform, to the end that a more inexpensive, speedy and certain administration of criminal justice generally might be provided.

J. W. G.

#### THE "GAME" SPIRIT IN THE ADMINISTRATION OF JUSTICE.

In a recent discussion of the problems of insanity in criminal procedure, one of the speakers had the frankness to stand up for the